

Service Date: March 29, 1994

FINAL ORDER NO. 6287
DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
1701 Prospect Avenue, P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF Solberg Trucking, Inc.,)	
Kalispell, Montana, application for	a)
Montana Intrastate Certificate of Public)	Docket T-93.139.PCN
Convenience and Necessity.)	Order No. 6287

The Commission, having taken evidence and being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On January 20, 1994, Solberg Trucking, Inc., 3560 Highway 93 South, Kalispell, Montana 59901, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class C - Property known as sewer sludge and liquid septage to be used as a component in a mixture applied as landfill cover between all points and places in the State of Montana.

2. In accordance with Section 69-23-321, MCA, as amended, this matter was noticed to the public February 7, 1994. That notice said in pertinent part:

If no written protests are received by February 27, 1994, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. A protest was filed by Waste Management of Montana, Inc. dba Waste Management of Great Falls on February 23, 1994. That protest was withdrawn March 15, 1994, after Applicant restrictively amended the application limiting transportation to that provided between points and places in Lincoln, Sanders, Mineral, Missoula, Ravalli, Lake, Flathead, Glacier and Granite Counties.

4. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on the 14th day of March, 1994, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-93.1139.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of **Solberg Trucking, Inc.**, Kalispell, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class C - Property, known as sewer sludge and liquid septage, to be used as a component in a mixture applied as landfill cover between all points and places in Lincoln, Sanders, Mineral, Missoula, Ravalli, Lake, Flathead, Glacier, and Granite Counties.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 14th day of March, 1994, by a vote of 3 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.